

FORM PTO-1390
(REV 10-2000)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY'S DOCKET NUMBER

P1735R1

TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)

09/700806

INTERNATIONAL APPLICATION NO.
PCT/US00/30294INTERNATIONAL FILING DATE
November 2, 2000PRIORITY DATE CLAIMED
November 2, 1999

TITLE OF INVENTION MODULATION OF eNOS ACTIVITY AND THERAPEUTIC USES THEREOF

APPLICANT(S) FOR DO/EO/US Ben-Quan Shen, Thomas Zioncheck

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This is an express request to promptly begin national examination procedures (35 U.S.C. 371(f)).
4. ☐ The US has been elected by the expiration of 19 months from the priority date (PCT Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ has been communicated by the International Bureau.
 - c. ☒ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ have been communicated by the International Bureau.
 - c. ☒ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11 to 16 below concern document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☐ A FIRST preliminary amendment.
☐ A SECOND or SUBSEQUENT preliminary amendment.
14. ☐ A substitute specification.
15. ☐ A change of power of attorney and/or address letter.
16. ☒ Other items or information:
Petition for Early Filing Date Under 35 U.S.C. § 102(e)

| | | | | | |
|---|--|---|--|--|--|
| U.S. APPLICATION NO. (37 CFR 1.53) 09/700806 | | INTERNATIONAL APPLICATION NO. PCT/US00/30294 | | ATTORNEY'S DOCKET NUMBER P1735R1 | |
|---|--|---|--|--|--|

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|--|--|--|--|--|--|
| 17. <input checked="" type="checkbox"/> The following fees are submitted: BASIC NATIONAL FEE (37 CFR 1.492(a)(1)-(5)): Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO \$1000.00 International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO \$860.00 International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO \$710.00 International preliminary examination fee paid to USPTO (37 CFR 1.482) but all claims did not satisfy provisions of PCT Article 33(1)-(4) \$690.00 International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(1)-(4) \$100.00 <div style="text-align: right;">ENTER APPROPRIATE BASIC FEE AMOUNT =</div> | | | | CALCULATIONS PTO USE ONLY | |
| <div style="text-align: right;">ENTER APPROPRIATE BASIC FEE AMOUNT =</div> | | | | <div style="border: 1px solid black; padding: 5px; display: inline-block;">\$ 860.00</div> | |

| | | | | | |
|--|--|--|--|----|--|
| Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)). | | | | \$ | |
|--|--|--|--|----|--|

| CLAIMS | NUMBER FILED | NUMBER EXTRA | RATE | | |
|---|--------------|--------------|------------|----|--------|
| Total claims | - 20 = | | X \$18.00 | \$ | |
| Independent claims | - 3 = | | X \$80.00 | \$ | |
| MULTIPLE DEPENDENT CLAIM(S) (if applicable) | | | + \$270.00 | \$ | |
| TOTAL OF ABOVE CALCULATIONS = | | | | \$ | 860.00 |

| | | | | | |
|--|--|--|--|----|--|
| <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2. | | | | \$ | |
|--|--|--|--|----|--|

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| SUBTOTAL = | | | | \$ 860.00 | |
|-------------------|--|--|--|-----------|--|

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|---|--|--|--|----|--|
| Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)). | | | | \$ | |
|---|--|--|--|----|--|

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| TOTAL NATIONAL FEE = | | | | \$ 860.00 | |
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| Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property | | | | \$ | |
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| TOTAL FEES ENCLOSED = | | | | \$ 860.00 | |
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| | | | | Amount to be refunded: | \$ |
| | | | | charged: | \$ |

a. ☐ A check in the amount of \$_____ to cover the above fees is enclosed.

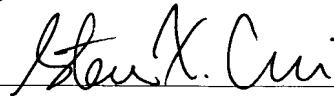
b. ☒ Please charge my Deposit Account No. 07-0630 in the amount of \$ 860.00 to cover the above fees. A duplicate copy of this sheet is enclosed.

c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 07-0630. A duplicate copy of this sheet is enclosed.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

GENENTECH, INC.
 1 DNA Way
 South San Francisco, CA 94080-4990



SIGNATURE:

Steven X. Cui

NAME

44,637

REGISTRATION NUMBER


202100-90800200

CERTIFICATE OF EXPRESS MAIL UNDER 37 CFR 1.10

EV 016026473 US : Express Mail Number

March 12, 2002 : Date of Deposit

I hereby certify that this Transmittal Letter to the United States Designated/Elected Office; Combined Declaration for Patent Application and Power of Attorney; Recordation Form Cover Sheet; Assignment Document as well as the Certificate re: Sequence List; Sequence Diskette and Sequence Listing paper copy are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Assistant Commissioner of Patents, Washington, DC 20231.



Carol Koehler